IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CONTEMPT APPEAL NO. 4 OF 2007
IN
CIVIL APPLICATION NO.67 OF 2005
IN
CIVIL APPLICATION NO.58 OF 2005
IN
CIVIL APPLICATION NO.59 OF 2005
IN
CONTEMPT PETITION NO.436 OF 2004
IN
LETTERS PATENT APPEAL NO.83 OF 2000
IN
WRIT PETITION NO.4176 OF 1998

Shri Narottam Janardhan Patil and another .. Appellants
v/s.
Shri Dhananjay Janardhan Patil and others .. Respondents

Mr. K.N. Kore for the appellants.
Mr. R.P. Lote for the respondent Nos.3,4,7,8 and 10.

CORAM : J.N. PATEL AND A.A. SAYED, JJ.
DATED : 4TH OCTOBER, 2007

P.C.

The learned counsel for the appellants submitted that keeping the contempt petition pending without any subsisting cause of action is a punishment to the appellants and that is why the appellants have approached this court and preferred this appeal.

2. The learned counsel for the respondents submits that in so far as pendency of contempt proceedings before the learned Single Judge is concerned, has lost its significance, particularly in view of the fact that consent

terms have been filed by the parties and the matter is now set at rest and therefore, nothing survives in the matter.

3. In view of the statement made by the learned counsel for the respondents, we need not to express any opinion on merits of the matter including the maintainability of the appeal and on accepting the statement made by the learned counsel for the respondent, we dispose of this appeal as infructuous.

(J.N. PATEL, J.)

(A.A. SAYED, J.)